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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------------------|-----------------------------|
| 10/631,789 | 08/01/2003 | Ramiro Liscano | 1244.42980X00 | 1683 |
| 20457 7590 07/16/2007 ANTONELLI, TERRY, STOUT & KRAUS, LLP 1300 NORTH SEVENTEENTH STREET SUITE 1800 ARLINGTON, VA 22209-3873 | | | EXAMINER ENG, DAVID Y | |
| | | | ART UNIT 2155 | PAPER NUMBER |
| | | | NOTIFICATION DATE 07/16/2007 | DELIVERY MODE ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/631,789

Applicant(s)

LISCANO ET AL.

Examiner

DAVID Y. ENG

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION:

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 22-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 22-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 8/1/03 & 11/16/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claims 16-21 have been cancelled. Newly submitted claims 22-35 have been entered.

The active claims are 1-15 and 22-35.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6, 22-30, 7-11 and 31-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The first, third and the fourth steps in claim 1 have no functional relationship with each other and with other steps.

With respect to claim 1, the term "appropriate" is vague and indefinite. It is not clear what the term "objects" is referring to.

The period in line 7 of claim 7 should be deleted.

The term "presence client" in line 6 of claim 12 should be deleted. Applicants are requested to review all the claims for similar editorial errors.

Other independent claims have similar defects. See claim 7 for example, there is no step recited for showing how the role and key tags are related to communication.

The dependent claims are rejected also because of the defects of their parent claims.

Claim Rejections - 35 USC § 102

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-15 and 22-35 are rejected under 35 U.S.C. 102(a) as being anticipated by Diacakis (USP 7,206,388, reference is made to the provisional application 60/365,244).

Claims 12, 1, 7, 2, 3, 8, 9

Diacakis teaches (claim 12):

A system for facilitating communication with a presentity (see the title and abstract of Diacakis), comprising:

a presentity presence client (the call recipient client terminal);

a watcher presence client for projecting a subscription request (the call originator client terminal);

a presence server (abstract) connected to the presentity presence client and the watcher presence client, said presence server for receiving the subscription request and for replying to said watcher presence client to identify the availability of the presentity for the subscription request (see "availability information" or "contact information" throughout the description); and

a communication service ([0010] PSTN or telephone network or any network which provides connectivity between the communicators) separate from said presence server and connected to said watcher presence client and said presentity presence client,

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wherein said watcher presence client is operable to launch at least one of an appropriate helper application and objects (software for controlling the communication) and to initiate communication with the presentity through the particular communication service.

The process recited in claims 1 and 7 is inherent in the presence system of Diacakis.

Claims 2, 3, 8, 9

It is inherent to organize stored information such as contact information of a plurality of users in a data structure. The data structure can be called a table.

Claims 4, 22, 23, 10, 31, 32

It is well known that an address is inherently part of the contact information because address is inherently for locating a person. It is further well known that it is based on address family type, for example , based on world wide web address or on email address or on telephone number.

Claims 5, 6, 24, 27, 25, 28, 26, 29, 30, 11, 33, 34, 35

The step order set forth in the claims is inherent. For example, the step of requesting contact information is inherently prior to the step of receiving the requested information.

Claim 13

A presence system inherently has presence resource.

Claim 14

The data record for recoding the contact information of a plurality of users in Diacakis can be called a directory also.

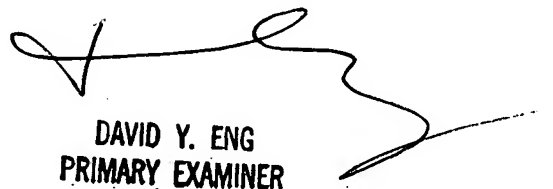
Claims 15

See [0008] in the provisional application of Diacakis.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID Y. ENG whose telephone number is 571-272-3984. The examiner can normally be reached on M-F from 8AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SALEH NAJJAR, can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DAVID Y. ENG
PRIMARY EXAMINER